IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTIETH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 13345 of 2004

Between:

P.V.Brahmam, S/o Late Yalamandaiah,
Presently resident of Kunkalagunta (Village), Nakarikallu Mandal, Guntur District

..... PETITIONER

AND

The Revenue Divisional Officer, Narasaraopet Division, Narasaraopet, Guntur District

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to for the reasons stated in the accompanying affidavit, the petitioner herein prays that this Hon'ble Court may be pleased to call for the records relating to the proceedings of the impugned order issued by the respondent bearing Rc.No.1032/04-B, dated 08-07-2004 in suspending the authorization of the petitioner for the Fair Price Shop at Kunkalagunta (Village), Nakarikallu (Mandal), Guntur District and set aside the same by declaring the impugned order is bad in law by issuing more particularly in the nature of Writ of Mandamus or any other Writ, Order or direction as this Hon'ble Court may deems fit and proper and to pass such other order or orders as this Hon'ble Court may deems fit and proper in the circumstances of the case

Counsel for the Petitioner:MR.V.V.NARASIMHA RAO

Counsel for the Respondent No.: GP FOR CIVIL SUPPLIES

The Court made the following O R D E R:

The petitioner is the authroised dealer of fair price shop at Kunkalagunta village, Nakarikallu Mandal, Guntur District. This writ petition is filed aggrieved by the proceedings issued by the Revenue Divisional Officer, Narsaraopet Division, Narsaraopet, Guntur District, the respondent herein, dated 08-07-2004 suspending the authorization of the petitioner pending enquiry into certain allegations.

Though several grounds have been raised by the petitioner assailing the correctness of the said order, I am not inclined to express any opinion regarding the merits of the case since admittedly an efficacious alternative remedy is available to the petitioner by way of appeal before the Joint Collector. Accordingly, the Writ Petition is disposed of granting liberty to the petitioner to file an appeal against the impugned order dated 08-07-2004, in which event the same shall be considered in accordance with law, and appropriate orders shall be passed. Further, since the petitioner expressed an apprehension that in the interregnum the respondent is likely to make fresh appointment in respect of the shop in question, it is made clear that till the enquiry initiated against the petitioner is concluded, no permanent appointment shall be made in respect of the F.P. Shop at Kunkalagunta village.

The Writ Petition is accordingly disposed of. No order as to costs.

_____

30th July, 2004.

Note:- CC by tomorrow.

(B/O)

Vrn

To

1. The Revenue Divisional Officer, Narsaraopet Division, Narsaraopet, Guntur District.

2. Two CCs to the G.P. for Civil Supplies, High Court Buildings, High Court of A.P., Hyderabad. (OUT).

3. Two CD copies.